

FEB 16 2006

FAX TRANSMISSION

DATE: February 16, 2006

PTO IDENTIFIER: Application Number 09/811,538-Conf. #9053
Patent Number 6,984,528

Inventor: Mary A. Reppy et al.

MESSAGE TO: US Patent and Trademark Office

FAX NUMBER: (571) 273-8300

FROM: CONNOLLY BOVE LODGE & HUTZ LLP

Burton A. Amernick

PHONE: (202) 331-7111

Attorney Dkt. #: 22001-00005-US

PAGES (Including Cover Sheet): 36

CONTENTS:

Request for Reconsideration of Decision Holding Petition (3 pages)
Exhibits 1-5 (31 pages)
Certificate of Transmission (1 page)

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CONNOLLY BOVE LODGE & HUTZ LLP
1990 M Street, N.W., Suite 800, Washington, DC 20036-3425
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PTO/SB/97 (09-04)
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U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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Application No. (if known): 09/811,538

Attorney Docket No.: 22001-00005-US

Certificate of Transmission under 37 CFR 1.8

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on February 16, 2006
Date

Nicole Brown

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Nicole Brown

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Request for Reconsideration of Decision Holding Petition (3 pages)
Exhibits 1-5 (31 pages)

FEB 16 2006

Docket No.: 22001-00005-US
(PATENT)**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent of:
Mary A. Reppy et al.

Allowed: March 4, 2004

Patent 6,984,528 B2(Application No.: 09/811,538)

Confirmation No.: 9053

Issued January 10, 2006 (Filed: March 20, 2001)

Art Unit: 1639

For: METHOD FOR DETECTING AN
ANALYTE BY FLUORESCENCE

Examiner: M. Tran

**REQUEST FOR RECONSIDERATION OF DECISION HOLDING PETITION IN
ABEYANCE FOR PATENT TERM ADJUSTMENT
UNDER 35 USC 154(B) AND 37 CFR 1.702-37 CFR 1.705**Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is a Request for Reconsideration of Decision of the Decision dated November 29, 2005 holding the Petition for Patent Term Adjustment filed May 6, 2004 in abeyance. It is hereby requested that the patent term of the above identified application be adjusted by adding at least 339 days to the term in additional to the 287 days already extended for a total of at least 626 additional days.

Statement of Facts

- 1) The correct patent term adjustment, should be 626 days since the patent issued on January 10, 2006 which is 661 days beyond the three years of the actual filing of the application which was March 20, 2001 and 35 days are to be deducted based on applicant's delay.
- 2) The relevant dates as specified in 37 CFR 1.703(a) through (e) for which an adjustment is sought are as follows:

Pursuant to 37 CFR 1.703(e), the three year date for issuance of the patent should be March 20, 2004. However, the patent did not issue until January 10, 2006 which is 661 days

beyond the 3 years from the actual filing date of March 20, 2001. However, the USPTO in its calculation of the Patent Term Adjustment deducted 374 days based on applicant's delay (see attached Exhibit 1, a printout from PAIR). As will be discussed below, in our opinion only 35 days should be deducted based on applicant's delay.

3) The patent is not subject to any terminal disclaimer.

4) Pursuant to 37 CFR 1.704, applicants filed a Notice of Appeal on January 6, 2004 with one month extension, the original due date being December 6, 2003. In addition, a response after a non-final rejection of March 22, 2002 was filed on June 24, 2002. June 22, 2002 (the due date) was a Saturday and Monday, June 24, 2002, was the next succeeding business day (see Exhibit 2), and therefore the filing of this response was timely pursuant to 35 USC 21. However, even though the response was timely, 2 days were noted by the USPTO as being a delay due to applicant (see Exhibit 1). In addition, applicant filed an Information Disclosure Statement on June 28, 2002 and had 4 days deducted.

On May 6, 2004, applicant after receipt of the Notice of Allowance and to preserve its possible rights concerning petitioning, filed the Patent Term Adjustment mentioned above. However, the USPTO, referred to this filing as an Amendment after Final (Rule 312) (see Exhibit 1) and deducted 120 days due to applicant's delay. The patentee should not be penalized this 120 days since applicant timely and properly exercised its' rights in filing the Application for Patent Term Adjustment.

On January 3, 2005, applicant filed a Status Request (see Exhibit 4), which was noted in Exhibit 1 as "Miscellaneous Incoming Letter" and applicant was assessed another 120 days for delay.

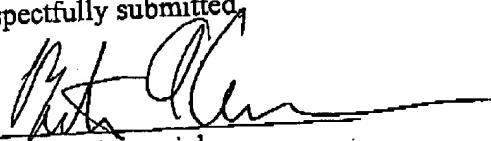
On October 6, 2005 (see Exhibit 5), applicant filed another Status Request since the prior Status Request was still unanswered. This was also noted in Exhibit 1 as "Miscellaneous Incoming Letter" and applicant was assessed another 97 days for delay.

To have deducted from applicant's potential additional time, 2 days for the timely filed response on June 24, 2002, 120 days for the Application for Patent Term Adjustment, 120 days for the first Status Request and 97 days for the second Status Request for a total of 339 days was improper. Accordingly, a maximum of only 35 days should be deducted from the 661 days mentioned above leaving a total of 626 days of patent term adjustment.

- 5) Therefore, the patent term adjustment being requested is 661 days minus 35 days pursuant to 37 CFR 1.704 for a total of 626 days.
- 6) The fee set forth in 37 CFR 1.18(f) was previously paid upon the filing of the Application for Patent Term Adjustment and therefore no fee is due at this time.
- 7) The Director is hereby authorized to charge any fees that might be due concerning the filing of this paper, to Deposit Account No. 22-0185, under Order No. 22001-00005-US1, from which the undersigned is authorized to draw.

Dated: 2-1-06

Respectfully submitted,

By 
Burton A. Amernick
Registration No.: 24,852
CONNOLLY BOVE LODGE & HUTZ LLP
1990 M Street, N.W., Suite 800
Washington, DC 20036-3425
(202) 331-7111
(202) 293-6229 (Fax)
Attorney for Applicant

Printer Friendly
09/811,538

METHOD FOR DETECTING AN ANALYTE BY FLUORESCENCE

Patent Term Adjustment History

Patent Term Adjustment (PTA) for Application Number: 09/811,538			
			Days
Filing or 371(c) Date:	03-20-2001	USPTO Delay (PTO):	661
Issue Date of Patent:	01-10-2006	Three Years:	-
Pre-Issue Petitions (days):	+0	Applicant Delay (APPL):	374
Post-Issue Petitions (days):	+0	Total PTA:	287
USPTO Adjustment(days):	+0	Explanation Of Calculations	
Patent Term Adjustment History			
Date	Contents Description	PTO(Days)	APPL (Days)
01-10-2006	Patent Issue Date Used in PTA Calculation	463	
12-21-2005	PTA 36 Months	198	
12-09-2005	Dispatch to FDC	↑	
12-09-2005	Application Is Considered Ready for Issue	↑	
12-09-2005	Response to Amendment under Rule 312	↑	
12-09-2005	TC Return to Pubs	↑	
12-01-2005	Receipt into Pubs	↑	
11-29-2005	Petition Decision - Dismissed	↑	
11-17-2005	Receipt into Pubs	↑	
10-13-2005	Receipt into Pubs	↑	97
10-06-2005	Miscellaneous Incoming Letter	↑	↑
09-02-2005	Pubs Case Remand to TC	↑	↑
08-15-2005	Receipt into Pubs	↑	↑
03-23-2005	Receipt into Pubs	↑	↑
01-04-2005	Receipt into Pubs	↑	120
01-03-2005	Miscellaneous Incoming Letter	↑	↑
09-10-2004	Receipt into Pubs	↑	
06-04-2004	Issue Fee Payment Verified	↑	↑
06-04-2004	Issue Fee Payment Received	↑	↑
05-18-2004	Workflow - File Sent to Contractor	↑	
05-06-2004	Petition Entered	↑	
05-06-2004	Amendment after Notice of Allowance (Rule 312)	↑	120
05-06-2004	Workflow incoming petition IFW	↑	↑
03-04-2004	Mail Notice of Allowance	↑	↑
03-04-2004	Mail Examiner's Amendment	↑	↑
03-03-2004	Notice of Allowance Data Verification Completed	↑	↑
03-03-2004	Case Docketed to Examiner in GAU	↑	↑
02-26-2004	Receipt of all Acknowledgement Letters	↑	↑
02-23-2004	Examiner's Amendment Communication	↑	↑
02-06-2004	Date Forwarded to Examiner	↑	↑

02-05-2004	IFW Amended case processing Complete	↑	↑
02-05-2004	Date Forwarded to Examiner	↑	↑
01-16-2004	Amendment after Final Rejection	↑	↑
01-16-2004	Affidavit(s) (Rule 131 or 132) or Exhibit(s) Received	↑	↑
01-16-2004	Amendment after Final Rejection	↑	↑
01-08-2004	Mail Examiner Interview Summary (PTOL - 413)	↑	↑
12-17-2003	Examiner Interview Summary Record (PTOL - 413)	↑	↑
10-21-2003	Mail Final Rejection (PTOL - 326)	↑	↑
10-20-2003	Final Rejection	↑	↑
08-05-2003	Date Forwarded to Examiner	↑	↑
07-29-2003	Response after Non-Final Action	↑	↑
05-07-2003	Mail Non-Final Rejection	↑	↑
05-05-2003	Non-Final Rejection	↑	↑
03-14-2003	Date Forwarded to Examiner	↑	↑
03-06-2003	Appeal Brief Filed	↑	31
01-06-2003	Notice of Appeal Filed	↑	↑
01-06-2003	Request for Extension of Time - Granted	↑	↑
12-30-2002	Mail Advisory Action (PTOL - 303)	↑	↑
12-30-2002	Advisory Action (PTOL-303)	↑	↑
12-20-2002	Date Forwarded to Examiner	↑	↑
12-04-2002	Amendment after Final Rejection	↑	↑
10-04-2002	Case Docketed to Examiner in GAU	↑	↑
09-06-2002	Mail Final Rejection (PTOL - 326)	↑	
09-06-2002	Final Rejection	↑	
07-02-2002	Date Forwarded to Examiner	↑	4
06-28-2002	Information Disclosure Statement (IDS) Filed	↑	2
06-24-2002	Response after Non-Final Action	↑	↑
03-22-2002	Mail Non-Final Rejection	↑	
03-22-2002	Non-Final Rejection	↑	
02-17-2002	Date Forwarded to Examiner	↑	
02-02-2002	Response to Election / Restriction Filed	↑	
01-15-2002	Mail Restriction Requirement	↑	
01-14-2002	Requirement for Restriction / Election	↑	
11-09-2001	Referred by L&R for Third-Level Security Review. Agency Referral Letter Generated	↑	
10-19-2001	Case Docketed to Examiner in GAU	↑	
06-12-2001	Application Dispatched from OIPE	↑	
05-30-2001	Correspondence Address Change	↑	
05-11-2001	Preliminary Amendment	↑	
04-12-2001	IFW Scan & PACR Auto Security Review	↑	
03-20-2001	Initial Exam Team nn	↑	

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family planner.

Custom Imprinted Calendar
Making Your Company Name
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Create calendar: Month Year Country
June 2002 United States

Calendar for June 2002 (United States)

<May | All of year 2002 | July>

Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

Phases of the moon: 2:☉ 10:☐ 17:☾ 24:☉

Basic Customization

Calendar year 2002
Calendar month June
Display holidays? Holidays and some observances (default)
Holiday columns? Automatic
Display moon phases? Yes
Display week numbers? No

Notes

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CONNOLLY BOVE LODGE & HUTZ

2022936229 PNO. 1513 P. 9

EXHIBIT 3



FAX TRANSMISSION

DATE: May 6, 2004

PTO IDENTIFIER: Application Number 09/811,538-Conf. #9053
Patent Number

Inventor: Mary A. Reppy et al.

MESSAGE TO: US Patent and Trademark Office Box Issue Fee

FAX NUMBER: (703) 746-4000

FROM: CONNOLLY BOVE LODGE & HUTZ LLP

Burton A. Amernick

PHONE: (202) 331-7111

Attorney Dkt. #: 22001-00005-US

PAGES (including Cover Sheet): 5

CONTENTS:

Application For Patent Term Adjustment Under 35 USC 154(b) and 37 CFR 1.702-37 CFR 1.705

SB/17 Fee transmittal

Certificate of Transmission under 37 CFR 1.8 (1 page)

D.A. auth: \$200 filing an application for patent term adjustment

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PAGE 1/5 * RCVD AT 5/6/2004 3:02:12 PM [Eastern Daylight Time] * SVR:USPTO-EFAXF-20 * DNIS:7464000 * CSID:2022936229 * DURATION (mm:ss):01:28

PAGE 9/36 * RCVD AT 2/16/2006 4:10:12 PM [Eastern Standard Time] * SVR:USPTO-EFAXF-6/33 * DNIS:2738300 * CSID:202 293 6229 * DURATION (mm:ss):07:26

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Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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on May 6, 2004
Date

Signature

Debra Bennett

Typed or printed name of person signing Certificate

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must identify each submitted paper.

Application For Patent Term Adjustment Under 35 USC 154(b) and 37 CFR
1.702-37 CFR 1.705

SB/17 For transmittal

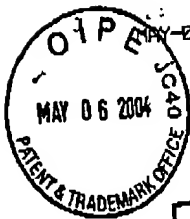
Certificate of Transmission under 37 CFR 1.8 (1 page).

D.A. auth: \$200 filing an application for patent term adjustment

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2022936229 P. NO. 1513 P. 11



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U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003, Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 200.00

Complete if Known

Application Number	09/811,538-Cont. #9053
Filing Date	March 20, 2001
First Named Inventor	Mary A. Reppy
Examiner Name	M. Tran
Art Unit	1638
Attorney Docket No.	22001-00005-US

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account

Deposit Account Number: 22-0185

Deposit Account Name: Connolly Bove Lodge & Hutz LLP

The Director is authorized for (check all that apply)

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☒ Charge any additional fee(s) or any underpayment of fee(s)

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1. BASIC FILING FEE

Large Entity Fee Code	Small Entity Fee Code	Fee (\$)	Fee (\$)	Fee Description	Fee Paid
1001	2001	565		Utility filing fee	
1002	2002	170		Design filing fee	
1003	2003	265		Plant filing fee	
1004	2004	385		Reissue filing fee	
1005	2005	80		Provisional filing fee	
SUBTOTAL (1)				(3)	0.00

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims: 20 = 20 x Fee = \$0.00

Independent Claims: 3 = 3 x Fee = \$0.00

Multiple Dependents: 0 = 0 x Fee = \$0.00

Large Entity Fee Code	Small Entity Fee Code	Fee (\$)	Fee (\$)	Fee Description	Fee Paid
1202	2202	9		Claims in excess of 20	
1201	2201	43		Independent claims in excess of 3	
1203	2203	145		Multiple dependent claims, if not paid	
1204	2204	43		Reissue independent claims over original patent	
1205	2205	9		Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)				(3)	0.00

3. ADDITIONAL FEES

Large Entity Fee Code	Small Entity Fee Code	Fee (\$)	Fee (\$)	Fee Description	Fee Paid
1051	2051	63		Surcharge - late filing fee or cash	
1052	2052	25		Surcharge - late provisional filing fee or cover sheet	
1053	2053	130		Non-English specification	
1812	2812	2,520		For filing a request for ex parte reexamination	
1804	2804	920		Requesting publication of ESR prior to Examiner action	
1805	2805	1,840		Requesting publication of ESR after Examiner action	
1251	2251	55		Extension for reply within first month	
1252	2252	210		Extension for reply within second month	
1253	2253	475		Extension for reply within third month	
1254	2254	740		Extension for reply within fourth month	
1255	2255	1,005		Extension for reply within fifth month	
1401	2401	165		Notice of Appeal	
1402	2402	165		Filing a brief in support of an appeal	
1403	2403	145		Request for oral hearing	
1481	2481	1,510		Petition to institute a public use proceeding	
1492	2492	58		Petition to revive - unavoidable	
1493	2493	603		Petition to revive - unintentional	
1501	2501	555		Utility issue fee (or release)	
1502	2502	240		Design issue fee	
1503	2503	320		Plant issue fee	
1480	2480	130		Petitions to the Commissioner	
1807	2807	50		Processing fee under 37 CFR 1.177(a)	
1808	2808	180		Submission of Information Disclosure Sheet	
8021	2021	40		Recording each patent assignment per property (times number of properties)	
1509	2509	185		Filing a submission after final rejection (37 CFR 1.129(a))	
1810	2810	385		For each additional invention to be examined (37 CFR 1.129(b))	
1801	2801	385		Request for Continued Examination (RCE)	
1802	2802	900		Request for expedited examination of a design application	
Other fee (specify)				1455	200.00
Reduced by Basic Filing Fee Paid				SUBTOTAL (3)	(3)

SUBTOTAL (3) (3) 200.00

SUBMITTED BY

Name (Print/Type): Burton A. Amernich

Registration No. (Attorney/Agent): 24,852

Telephone: (202) 331-7111

Signature: [Signature]

Date: 5-6-04

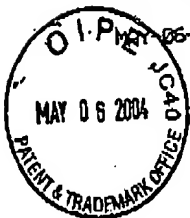
PAGE 3/5 * RCVD AT 5/6/2004 3:02:12 PM [Eastern Daylight Time] * SVR:USPTO-EFXXF-2/0 * DNIS:7464000 * CSID:2022936229 * DURATION (mm:ss):01:28

PAGE 11/36 * RCVD AT 2/16/2006 4:10:12 PM [Eastern Standard Time] * SVR:USPTO-EFXXF-6/33 * DNIS:2738300 * CSID:202 293 6229 * DURATION (mm:ss):07:26

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2022936229 FNO. 1513 P. 12



Docket No.: 22001-00005-US
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Mary A. Reppy et al.

Allowed: March 4, 2004

Application No.: 09/811,538

Confirmation No.: 9053

Filed: March 20, 2001

Art Unit: 1639

For: METHOD FOR DETECTING AN
ANALYTE BY FLUORESCENCE

Examiner: M. Tran

**APPLICATION FOR PATENT TERM ADJUSTMENT
UNDER 35 USC 154(B) AND 37 CFR 1.702-37 CFR 1.705**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

It is hereby requested that the patent term of the above identified application be adjusted by adding at least 147 days to the term.

Statement of Facts

1) The correct patent term adjustment, assuming the patent issues on the date that is 28 weeks after the date of the Notice of Issue Fee (i.e. September 14, 2004) as projected in the Form PTOL-85 attached to the Issue Fee Notification, would be 147 days since the patent would not issue within the three years of the actual filing of the application which was March 20, 2001.

2) The relevant dates as specified in 37 CFR 1.703(a) through (e) for which an adjustment is sought are as follows:

Pursuant to 37 CFR 1.703(e), the three year date for issuance of the patent could be March 20, 2004. However, the patent is not scheduled to issue until September 14, 2004, which is 178 days beyond the 3 years from the actual filing date of March 20, 2001.

3) The patent is not subject to any terminal disclaimer.

05/07/2004 RNDHDAFE 00000007 220185 09811538

01 FC:1455 200.00 00

1

PAGE 4/5 * RCVD AT 5/6/2004 3:02:12 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-20 * DNIS:7464000 * CSID:2022936229 * DURATION (mm:ss):01:26

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2022936229 P NO. 1513 P. 13

MAY-06-2004 15:05

4) Pursuant to 37 CFR 1.704, applicants filed a Notice of Appeal on January 6, 2004 with one month extension, the original due date being December 6, 2003.

5) Therefore, the patent term adjustment being requested is 178 days minus 31 days pursuant to 37 CFR 1.704 for a total of 147 days.

Dated: 5-6-04

Respectfully submitted,

By 

Burton A. Amernick

Registration No.: 24,852

CONNOLLY BOVE LODGE & HUTZ LLP

1990 M Street, N.W., Suite 800

Washington, DC 20036-3425

(202) 331-7111

(202) 293-6229 (Fax)

Attorney for Applicant



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:

Mary A. Reppy et al.

Serial No.: 09/811,538

Filed: March 20, 2001

For: METHOD FOR DETECTING
AN ANALYTE BY
FLUORESCENCE

Conf. No.: 9053

Art Unit: 1641

Examiner: Tran, My Chant

Atty Docket: 22001/0005

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SUPPLEMENTAL RESPONSE AND AMENDMENT UNDER 37 CFR § 1.111Commissioner for Patents
Washington, D.C. 20231

Sir:

This is a supplemental response to the Office Action dated March 22, 2002. The response filed on June 24, 2002 inadvertently failed to include a marked-up version of the amended claims, which is now included herein.

Please amend the above-captioned application as follows:

IN THE SPECIFICATION:

Please amend the specification as follows:

Page 1, before the Heading "DESCRIPTION", please insert the following:

--- Federally Sponsored Research or Development

The invention in this application was partially made with funding from the National Institutes of Health under grant award no. 2-R44-6M57154-02.---

IN THE CLAIMS:

Please amend the claims as follows:

09/811,538

1



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

In re Application of:

: Conf. No.:9053

JUN 26 2002

Mary A. Reppy et al.

TECH CENTER 1600/2900

Serial No.: 09/811,538

: Art Unit: 1641

Filed: March 20, 2001

: Examiner: Tran, My Chaut

For: METHOD FOR DETECTING
AN ANALYTE BY
FLUORESCENCE

: Atty Docket: 22001/0005

RESPONSE AND AMENDMENT UNDER 37 CFR § 1.111Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Office Action dated March 22, 2002, please amend the above-captioned application as follows:

IN THE SPECIFICATION:

Please amend the specification as follows:

Page 1, before the Heading "DESCRIPTION", please insert the following:

--- Federally Sponsored Research or Development

The invention in this application was partially made with funding from the

National Institutes of Health under grant award no. 2-R44-6M57154-02.---

IN THE CLAIMS:

Please amend the claims as follows:

1. (Amended) A method for the detection of an analyte in a sample, which comprises contacting the sample to be tested with a three-dimensional array comprising a polydiacetylene backbone and a substrate, wherein the substrate has direct affinity for

09/811,538

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EXHIBIT NO. 1513 P. 16

OCT. 6. 2005 11:24AM

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8 AM PAGE 1/001

Fax NO. 8239

P. 14/10

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JAN 3 2006 11:55AM CBL&H 202 293 6229 10.1446 P. 1	
FAX TRANSMISSION	
DATE: January 3, 2006	
TRANSMISSION: Application Number: 69/811,511-Coll 49053	
Patent Number	
Inventor: Mary A. Rogers et al.	
MESSAGE TO: US Patent and Trademark Office	
FAX NUMBER: (703) 472-9805	
FROM: CONNOLLY BOVE LORUS & RUTZ LLP	
Boston A. Adelman	
FAX NO: (202) 343-7111	
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FAX TRANSMISSION	
DATE:	January 3, 2005
PTO IDENTIFIER:	Application Number 09/811,558-Conf. #9053 Patent Number
Inventor:	Mary A. Reppv et al.
MESSAGE TO:	US Patent and Trademark Office
FAX NUMBER:	(703) 872-9306
FROM:	CONNOLLY BOVE LODGE & HUTZ LLP Burton A. Amernick
PHONE:	(202) 331-7111
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FAX TRANSMISSION

DATE: January 3, 2005

PTO IDENTIFIER: Application Number 09/811,538-Conf. #9053
Patent Number

Inventor: Mary A. Reppy et al.

MESSAGE TO: US Patent and Trademark Office

FAX NUMBER: (703) 872-9806

FROM: CONNOLLY BOVE LODGE & HUTZ LLP
Burton A. Amernick

PHONE: (202) 331-7111

Attorney Dkt. #: 22001-00005-US

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Application No. (if known): 09/811,538

Attorney Docket No.: 22001-00005-US

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Docket No.: 22001-00005-US
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Mary A. Reppy et al,

Application No.: 09/811,538

Confirmation No.: 9053

Filed: March 20, 2001

Art Unit: 1639

For: METHOD FOR DETECTING AN ANALYTE
BY FLUORESCENCE

Examiner: Not Yet Assigned

STATUS INQUIRY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

It is respectfully requested that the attorney named below be advised of the status of the above-identified application. Please advise us of when we might expect to receive correspondence from the Patent and Trademark Office.

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Dated: January 3, 2005

Respectfully submitted,

By 

Burton A. Amernick

Registration No.: 24,852

CONNOLLY BOVE LODGE & HUTZ LLP

1990 M Street, N.W., Suite 800

Washington, DC 20036-3425

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FAX TRANSMISSION

DATE: January 3, 2005

PTO IDENTIFIER: Application Number 09/811,538-Conf. #9053
Patent Number

Inventor: Mary A. Rcppy et al.

MESSAGE TO: US Patent and Trademark Office

FAX NUMBER: (703) 872-9306

FROM: CONNOLLY BOVE LODGE & HUTZ LLP

Burton A. Amernick

PHONE: (202) 331-7111

Attorney Dkt. #: 22001-00005-US

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Application No. (If known): 09/811,538 Attorney Docket No.: 22001-00006-US

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JAN 03 2005

Docket No.: 22001-00005-US
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Mary A. Reppy et al.

Application No.: 09/811,538

Filed: March 20, 2001

For: METHOD FOR DETECTING AN ANALYTE
BY FLUORESCENCE

Confirmation No.: 9053

Art Unit: 1639

Examiner: Not Yet Assigned

STATUS INQUIRY

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Dated: January 3, 2005

Respectfully submitted,

By 
Burton A. Amernick

Registration No.: 24,852
CONNOLLY BOVE LODGE & HUTZ LLP
1990 M Street, N.W., Suite 800
Washington, DC 20036-3425
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FAX TRANSMISSION

DATE: October 6, 2005

PTO IDENTIFIER: Application Number 09/811,538-Conf. #9053
Patent Number

Inventor: Mary A. Reppy et al.

MESSAGE TO: US Patent and Trademark Office

FAX NUMBER: (571) 273-8300

FROM: CONNOLLY BOVE LODGE & HUTZ LLP

Burton A. Amernick

PHONE: (202) 331-7111

Attorney Dkt. #: 22001-00005-US

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Status Inquiry for application 09/811,538 (1 page)
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Application No. (if known): 09/811,538 Attorney Docket No.: 22001-00006-US

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Docket No.: 22001-00005-US
(PATENT)

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In re Patent Application of:
Mary A. Rappy et al.

Application No.: 09/811,538

Filed: March 20, 2001

For: METHOD FOR DETECTING AN ANALYTE
BY FLUORESCENCE

Confirmation No.: 9053

Art Unit: 1641

Examiner: My Chau T. Tran

STATUS INQUIRY

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Dated: October 6, 2005

Respectfully submitted,

By 

Burton A. Amernick

Registration No.: 24,852

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1990 M Street, N.W., Suite 800

Washington, DC 20036-3425

(202) 331-7111

(202) 293-6229 (Fax)

Attorney for Applicant

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DATE:	June 10, 2005
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DATE: June 10, 2005

PTO IDENTIFIER: Application Number, 09/811,538-Conf. #9053
Patent Number

Inventor: Mary A. Ruppert et al.

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DATE: June 10, 2005

PTO IDENTIFIER: Application Number . 09/811,538-Conf. #9053
Patent Number

Inventor: Mary A. Reppy et al.

MESSAGE TO: Office of Patent Publication

FAX NUMBER: (703) 746-4000

FROM: CONNOLLY BOVE LODGE & HUTZ LLP

Burton A. Amernick

PHONE: (202) 331-7111

Attorney Dkt #: 22001-00005-US

PAGES (Including Cover Sheet): 13

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NO. 8239 P. 7/18

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In re Patent Application of:
Mary A. Reppy et al.

Application No.: 09/811,538

Confirmation No.: 9053

Filed: March 20, 2001

Art Unit: 1639

For: METHOD FOR DETECTING AN ANALYTE
BY FLUORESCENCE

Examiner: Not Yet Assigned

THIRD STATUS INQUIRY

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P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Further to the Status Inquiries filed February 22, 2005 and January 3, 2005, (copies attached) Applicant is hereby submitting a Third Status Inquiry. It is respectfully requested that the attorney named below be advised of the status of the above-identified application. Please advise us of when we might expect to receive correspondence from the Patent and Trademark Office.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 22-0185, under Order No. 22001-00005-US from which the undersigned is authorized to draw.

Dated: 6-10-5

Respectfully submitted,

By

Burton A. Amernick

Registration No.: 24,852

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Attorney for Applicant

37-227

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DATE: February 23, 2006

PTO IDENTIFIER: Application Number 09/811,538-Conf #9053
Patent Number

Inventor: Mary A. Rapp et al.

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PTO IDENTIFIER: Application Number 09/811,538-Conf. #9053
Patent Number

Inventor: Mary A. Reppy et al.

MESSAGE TO: Office of Patent Publication

FAX NUMBER: (703) 746-4000

FROM: CONNOLLY BOVE LODGE & HUTZ LLP

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Docket No.: 22001-00005-US
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Mary A. Reppy et al.

Application No.: 09/811,538

Confirmation No.: 9053

Filed: March 20, 2001

Art Unit: 1639

For: METHOD FOR DETECTING AN ANALYTE
BY FLUORESCENCE

Examiner: Not Yet Assigned

SECOND STATUS INQUIRY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Further to the Status Inquiry filed January 3, 2005, Applicant is hereby submitting a Second Status Inquiry. It is respectfully requested that the attorney named below be advised of the status of the above-identified application. Please advise us of when we might expect to receive correspondence from the Patent and Trademark Office.

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Dated: 2-22-05

Respectfully submitted,

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